

**Enterprise Zone Act Preference (EZA) Request
For Goods and Services Solicitations**

SOLICITATION NUMBER	AGENCY/DEPT Health Services
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Enterprise Zone Act (EZA) preferences are available only if the lowest responsible bid and resulting contract exceeds \$100,000. Your firm must be California based. You must certify, under penalty of perjury, to perform either 50% of the labor hours required to complete a contract for GOODS, or 90% of the labor hours required to complete a contract for SERVICES in an eligible enterprise zone worksite(s) you identify in Section I. The EZA provides bid selection preferences of 5% for eligible worksites (Section I), and a 1% to 4% for hiring eligible workforce employees (Section II). EZA addresses can be verified or confirmed with city-county Economic Development Offices or the California Technology, Trade and Commerce Agency website <http://commerce.ca.gov/business/community/entzone.html>

Section I. 5% WORKSITE(S) PREFERENCE ELIGIBILITY AND LABOR HOURS

Preference may be denied if you do not provide the following required information:

- (1) Identify each and every firm to perform 5% or more of the total contract labor hours required to complete this contract.
- (2) List complete addresses for each firm named below.
- (3) Report number of projected labor hours required to perform the contract for each named firm at the worksite.
- (4) Enter the Enterprise Zone Name.
- (5) Identify the California designated EZA worksite(s) by entering the proper **Criteria** letter A, B, or C in the Criteria column.

(1) FIRM NAME and CONTRACT FUNCTION: (Manufacturing, transportation, shipping, warehousing, admin, etc.) Use additional pages, as needed, to fully report worksite information.	(2) WORKSITE ADDRESS Street Address, City, County, State, Zip Code, Phone Number	(3) Projected Labor Hours	Complete for all sites located within the EZA Preference Area(s)	
			(4) Enterprise Zone Name	(5) Criteria (A, B, C)
Total projected labor hours:				

Section II. 1% to 4% WORKFORCE PREFERENCE

Bidders must qualify their firm's worksite eligibility to request an additional 1% to 4% workforce preference in Section II.

- ☐ I request a 1% preference for hiring eligible persons to perform 5 to 9.99% of the total contract labor hours.
- ☐ I request a 2% preference for hiring eligible persons to perform 10 to 14.99% of the total contract labor hours.
- ☐ I request a 3% preference for hiring eligible persons to perform 15 to 19.99% of the total contract labor hours.
- ☐ I request a 4% preference for hiring eligible persons to perform 20% or more of the total contract labor hours.

Section III. CERTIFICATION FOR WORKSITE AND WORKFORCE PREFERENCES

To receive EZA preferences, the following certification must be completed and signed by the Bidder.

I hereby certify under penalty of perjury that the bidder (1) is a California based company as defined in the EZA regulations; (2) shall ensure that at least 50% of the labor hours required to complete a contract for Goods, or 90% of the labor hours to complete a Services contract shall be performed at the designated EZA worksite(s) claimed in Section I; (3) shall hire persons who are EZA eligible employees to perform the specified percent of total contract labor hours as claimed in Section II; (4) has provided accurate information on this request to receive EZA preferences. I understand that any person furnishing false certification, willfully providing false information or omitting information, or failing to comply with the EZA requirements is subject to sanctions as set forth in the statutes.

BIDDER'S NAME & TITLE	BIDDER'S SIGNATURE	PHONE NUMBER	DATE
		FAX NUMBER	

Enterprise Zone Act References and Instructions

The Enterprise Zone Act (EZA), GC §7070 et seq., and 2 CCR §1896.100 et seq., promotes employment and economic development at designated Enterprise Zones by offering 5% Worksite and 1% to 4% Workforce bidding preferences in specified State contracts. The EZA preferences do not apply to contracts where the worksite is fixed by the contract terms. These preferences only apply to California based firms, and only when the lowest responsible bid and resulting contract exceed \$100,000. Bidders must certify, under penalty of perjury, to perform either 50% (for GOODS contracts) or 90% (for SERVICES contracts) of the contract labor hours required to complete this contract in the eligible EZA area worksite(s) identified in Section I on the reverse side of this page. EZA preferences are limited to 9%, or a maximum of \$50,000 per bid. In combination with any other preferences, the maximum limit is 15% of the lowest responsible bid; and, in no case more than \$100,000 per bid.

Section I Worksite Preference Eligibility and Labor Hours

Bidders must identify at least one eligible EZA Worksite by entering the EZA Zone Name and the "Criteria" letter A, B, or C in sections 4 and 5 on the reverse side of this form, to be eligible for the 5% preference. In addition the bidder must name each and every firm or site where 5% or more of the total contract labor hours will be worked. The terms Firm Name or Contract Function may include: Bidder, Shipper, Manufacturer/Processor, Transportation, Warehousing, and/or Administration. Preference requests may be denied if an eligible EZA worksite is not identified, or if all firms doing at least 5% of the contract labor hours are not identified. Enter the Criteria to identify each EZA Worksite on the reverse page.

- The firm is located in a California designated Enterprise Zone(s).
- The firm will establish a worksite(s) in a California eligible distressed EZA area(s).
- The bidder will purchase the contract goods from the manufacturer(s) located in a California designated EZA area(s). **This option applies to solicitations for GOODS only.**

Show number of contract labor hours at each listed firm and site. Only include the number of labor hours necessary and required to complete the contract activities. Artificially increasing contract labor hours at a claimed EZA worksite, or understating labor hours worked outside the eligible worksite may result in a denied preference request. Do not include machine time and non-labor time in the number of projected contract labor hours. Report all bidder work hours and those of any subcontractor performing this contract. All transportation hours must be reported for each carrier separately and must not be combined or included with hours for manufacturing/processing, or administration, or at any eligible EZA site. Failure to list all projected contract labor hours to be performed at the reportable site(s) may result in a denial of this preference request.

If providing goods, the bidder must provide a *Manufacturer's Summary form* (included with this solicitation), that specifies the number of projected labor hours necessary to make the product(s).

The bidder must explain, by activity, their firms' projected contract labor hours by completing the *Bidder's Summary form* (included with this solicitation).

Section II Workforce Preference

Eligibility to request Workforce preference is based on the bidder first claiming and receiving approval of the 5% EZA Worksite preference. The Workforce preferences are only awarded if the bidder hires and employs the EZA qualified individuals. Workforce preferences will not be approved for another firm's employees. By claiming a Workforce preference percentage the bidder must have its eligible employees perform the specified percentage of the total contract Workforce labor hours. See Section I, "Total Projected Labor Hours," form STD 831. To claim the Workforce preference, select or check the appropriate box for percent of requested bid preferences in Section II.

Section III Certification for Worksite and Workforce Preferences

Bidder must sign, under penalty of perjury, the certification contained in Section III to be eligible for any of the preferences offered. The penalties associated with the EZA statute are: GC §7084 (g) (1), a business which requests and is given the preference provided for in subdivision (a) or (b) by reason of having furnished a false certification, and that by reason of this certification has been awarded a contract to which it would not otherwise have been entitled, shall be subject to all of the following:

- Pay to the State any difference between the contract amount and what the State's cost would have been if the contract had been properly awarded.
- In addition to the amount specified in subparagraph (A), be assessed a penalty in an amount of not more than 10% of the amount of the contract involved.
- Be ineligible to directly or indirectly transact any business with the State for a period of not less than 3 months and not more than 24 months.

Prior to the imposition of any sanction under this chapter, the contractor or vendor shall be entitled to a public hearing and to five days notice of the time and place thereof. The notice shall state the reasons for the hearing.

If you win an award based on these preferences you will be required to report monthly on your contract performance, labor hours, and EZA compliance.

For questions concerning preferences and calculations, or if a bid solicitation does not include preference request forms, please call the awarding Department's contract administrator. Only another California certified small business can use TACPA, EZA or LAMBRA preferences to displace a California certified small business bidder.

To locate California designated EZA sites contact the website <http://commerce.ca.gov/business/community/entzone.html> or the city or county Planning/Economic Development offices for the proposed Worksite location, or the California Technology, Trade and Commerce at (916) 324-8211. Additional information is located the following website <http://www.pd.dgs.ca.gov/default.asp?mp=../osbcr/main/main.asp>.